

ACT[®] National Career Readiness Certificate[™]

Supplemental Terms and Conditions for ACT RegiSTAR[™] related Products and Services

ACT offers its Customers the option to participate in a credentialing program called the ACT National Career Readiness Certificate program. As part of the ACT National Career Readiness Certificate program, ACT provides access to a system (known as "RegiSTAR") which reports assessment information on a group of examinees defined by the Customer and issues certificates for those examinees having earned a certificate under ACT's guidelines. For the created ACT National Career Readiness Certificates, Customer may desire ACT to:

- 1) print and mail the National Career Readiness Certificates, or
- 2) create a data file of registration numbers. Customer may then choose to print those certificates per ACT specifications.

ACT makes data files and reports available to the Customer using a secure website. Accordingly, the parties agree as follows:

1. Definitions.

- a. "Authorized Customer Locations" means the locations indicated on the Standard Agreement Form.
- b. "Eligible Examinees" are examinees at the Authorized Customer Locations who have received qualifying scores on the Qualifying Assessments.
- c. "Qualifying Assessments" means the ACT WorkKeys[®] assessments in Applied Mathematics, Reading for Information, and Locating Information.

2. Customer's ACT RegiSTAR Account.

- a. Establishing the ACT RegiSTAR Access. An ACT RegiSTAR account containing assessment information regarding the performance of the Eligible Examinees on the Qualifying Assessments along with certificate information will be provided to the Customer. Subject to any applicable privacy restrictions, Customer will also be able to retrieve an electronic file containing the login names of the Eligible Examinees and their related passwords which will allow such examinees to release their certificate information electronically. The fees for each individual identified by the ACT RegiSTAR account as an Eligible Examinee are set forth in the Pricing document. ACT agrees to conduct a one-time historical sweep looking back five (5) years, up to the date this amendment takes effect in order to create certificate registration numbers for eligible examinees based on the Authorized Customer Locations. There is no charge for the certificate registration numbers generated from the historical sweep. This sweep must occur before additional regular on-going sweeps are automated and activated for fee.

- b. Match Criteria. ACT requires that certain identification information match and be included on all qualifying test records before those records form the basis for a credential. This process is important to ensure that qualifying scores are attributed to the correct examinee. If multiple test administrations are considered, the information must be identical on all records in the identification match fields. The five critical fields are: First Name; Last Name; Month of Birth; Day of Birth; Examinee ID.

- c. Privacy. The Customer may have access to the assessment and certificate information related to the assessments administered at the Authorized Customer Locations, and Authorized Customer Locations may have access to assessment and certificate information related to the assessments delivered at their sites, however, ACT reserves the right to withhold personally identifiable information and institutionally identifiable information in accordance with ACT's Privacy Policy as it may be amended from time to time, and other legal and contractual requirements. ACT's current Privacy Policy permits the sharing of personally identifiable

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information derived from the administration of ACT WorkKeys Assessments with, among others, (1) the individual that is the subject of such information, (2) persons that paid for such individual to take the Assessment or receive a certificate, and (3) persons who administer the Assessments to such individual. If Customer is not among the persons permitted to receive personally or institutionally identifiable information under ACT's Privacy Policy or other legal or contractual requirements, Customer may not be able to view personally or institutionally identifiable information.

d. **Dissemination of User Name and Passwords.** Each Eligible Examinee that has provided ACT a valid email address in accordance with ACT's instructions will receive an email from ACT providing them with their individual user name and password. Subject to the privacy restrictions set forth in Section 2(c), Customer may also access an electronic file containing such information from the ACT RegiSTAR account.

3. Certificate Production and Distribution.

a. ACT will create certificates based on the following options:

(i.) Assessment Type(s)

- ☐ Online Assessments
- ☐ Paper Assessments
- ☒ Both Online and Paper Assessments

(ii.) Frequency of certificate generation

- ☒ Weekly
- ☐ Bi-Weekly
- ☐ Monthly
- ☐ Once-A-Year During the month of:
- ☐ Upon Request (but not more frequently than weekly):

(iii.) Certificate Type

- ☐ ACT National Career Readiness Certificate (English)
- ☐ ACT National Career Readiness Certificate en Español (Spanish)
- ☐ Both

Terms and responsibilities for the ACT National Career Readiness Certificates (English or Spanish):

The National Career Readiness Certificate shall appear identical to the sample provided at <http://www.act.org/certificate/guidelines.html>. ACT reserves the sole right to change the ACT National Career Readiness Certificate requirements, content, data elements, and/or the "look and feel" of the certificate in its sole discretion, at any time.

☒ Co-Branded Certificate (using ACT provided template with final approval required by ACT – may apply to either English and/or Spanish certificates).

Terms and responsibilities for Co-Branded Certificates:

ACT will provide Customer with a Co-Branded Certificate template which establishes the areas of the certificate that can be modified. All modifications must comply with ACT NCRC Guidelines, which are located at: <http://www.act.org/certificate/guidelines.html>. The Co-Branded Certificate template, ACT NCRC Guidelines, requirements, content, data elements, and/or the "look and feel" of the certificate (the "Co-Branding Requirements") may be modified by ACT, at any time in its sole discretion. The parties will work together on the design of the Co-Branded Certificate, but the ultimate design will be determined by ACT in its sole discretion. Any electronic signatures provided to ACT must be transferred in a secure manner, according to the ACT NCRC Guidelines. The final certificate is subject to ACT approval and will be

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incorporated into this Agreement via an amendment, unless already agreed to and attached herein as Attachment A. Customer may not print any certificates prior to final approval by ACT, and incorporation of the final design into this Agreement. Any violation of this Section 4 by Customer may result in immediate termination and/or any other remedies available under law.

- (iv.) Production Output
☐ ACT Prints Certificates

Options for mailing when ACT prints the National Career Readiness Certificates. Mailing instructions are as follows:

- a) ☐ ACT sends all of the National Career Readiness Certificates to the Customer at the following address: _____.
- b) ☐ ACT sends National Career Readiness Certificates to the Authorized Customer Locations. Authorized Customer Locations will receive only the certificates for the examinees that were assessed by such location.

- ☒ ACT Provides Certificate Registration Numbers

If Customer or its Authorized Customer Locations are printing the ACT National Career Readiness Certificate using the ACT provided Certificate Registration Numbers, Customer agrees it and the Authorized Customer Locations will utilize the ACT provided template and comply with all standards and requirements established in this Supplemental Terms and Conditions for ACT RegiSTAR Related Products and Services, including but not limited to as Section 6 of the Standard Agreement Form and the Trademark Guidelines. Any violation of stated requirement by Customer or Authorized Customer Locations may result in immediate termination and/or any other remedies available under law.

- b. Any sweep for certificates pursuant to this contract will include information for all Authorized Examinees who tested at the Authorized Customer Locations that are part of the account created for the Customer, during the term of the Agreement.
- c. Only the following certificates will be issued to Customer's examinees:
- (i) *Platinum Certificates*: Examinees receiving a score of 6 or above on all three of the Qualifying Assessments receive the Platinum Certificate.
 - (ii) *Gold Certificates*: Examinees receiving a score of 5 or above on all three of the Qualifying Assessments receive the Gold Certificate.
 - (iii) *Silver Certificates*: Examinees receiving a score of 4 or above on all three of the Qualifying Assessments receive the Silver Certificate.
 - (iv) *Bronze Certificates*: Examinees receiving a score of 3 or above on all three of the Qualifying Assessments receive the Bronze Certificate.
- d. Certificates will only be issued if the Qualifying Assessments used by an individual to achieve a Credential Level were administered to that individual under a proctored, secure environment.
- e. The Credential Level (Platinum, Gold, Silver, or Bronze) will be displayed on the certificate.

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- f. The certificate will contain the National Career Readiness Certificate registration number and issue date on the face of the certificate.
- g. Licence of and use of ACT's trademarks is governed by Section 6 of the Standard Agreement Form and the Trademark Guidelines.

ACT[®] National Career Readiness Certificate™



ACT certifies that

JANE SAMPLE

has earned the ACT National Career Readiness Certificate™ at the **Platinum** level.

Registered Certificate # <<Certificate Identifier>>
Issue Date: <<Certificate Issue Date>>

 **KANSASWORKS**

